

**Enrolled Minutes of the Third Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting
Monday, January 27, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, January 13, 2020 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding. Once completed the Town Council moved to the plenary meeting.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark A. Herak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: John P. Reed, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; Kathy DeGuilio-Fox, Redevelopment Director; Kenneth J. Mika, Building Commissioner; and Pat Vassar, Assistant Police Chief were present.

Also present: Terry Krooswyk of the Town Board of Metropolitan Police Commissioners; Larry Kondrat and Rick Volbrecht of the Board of Waterworks Directors; Sean Conley of the Redevelopment Commission; and Ed Dabrowski IT Director (Contract) were also present.

Guests: Theresa Badovich of the Idea Factory was also present.

Minutes of the Previous Meetings: Councilor Black moved the approval of the minutes of the regular plenary meeting of 13 January 2020. Councilor Sheeman seconded, upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes were approved.

Special Orders:

- 1. Consideration of Proposed Additional Appropriations: (non-controlled funds) Proposed Additional Appropriations in Excess of the 2020 Budget for the Unsafe Building Fund in the amount of \$142,4000; the General Improvement Fund in the amount of \$8,000; Hazardous Materials Response Fund in the amount of \$13,073; and the Municipal Cumulative Street Fund in the amount of \$40,000.**

(a) *Attorney verification of Proofs of Publication:* The TIMES 16 Jan 2020. The Town Attorney legally opined that the notices were in order.

(b) **Public Hearing.** The Town Council President called the hearing to order. The following comments were received:

1. Larry Kondrat, Highland, referring to the proposed additional appropriation for the Municipal Cumulative Street Fund, if this would fund persons who did not presently have sidewalks but sought them.

He was advised that the fund presently supports the sidewalk replacement program. He was further advised that another process can be used for the installation of sidewalks where they do not presently exist.

Hearing no further comments, the Town Council President closed the hearing.

- (c) Action on **Appropriation Enactment No. 2020-01**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **Unsafe Building Fund**, the **General Improvement Fund Hazardous Materials Response Fund** and the **Municipal Cumulative Street Fund**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced Enactment No. 2020-01 and moved its consideration at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2020-01 at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was padded and adopted at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2020-01**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the UNSAFE BUILDING FUND, GENERAL IMPROVEMENT FUND, HAZARDOUS MATERIALS RESPONSE FUND, AND THE MUNICIPAL CUMULATIVE STREET FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Unsafe Building Fund, General Improvement Fund, Hazardous Materials Response Fund**, and the **Municipal Cumulative Street Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Unsafe Building Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

UNSAFE BUILDING FUND	
Acct. No. 003-0000-310.05 Demolition Costs:	<u>\$ 142,400.00</u>
<i>Total Series:</i>	\$ 142,400.00
Fund Total:	\$ 142,400.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **General Improvement Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GENERAL IMPROVEMENT FUND	
Acct. No. 083-0000-34003 Record / Releasing Lien	<u>\$ 8,000.00</u>
<i>Total Series:</i>	\$ 8,000.00
Fund Total:	\$ 8,000.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Hazardous Materials Response Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

HAZARDOUS MATERIALS RESPONSE FUND

Acct. 20-0000-21000 Haz Mat Misc. Supplies:	<u>\$ 10,500.00</u>
<i>Total Supplies:</i>	<u>\$ 10,500.00</u>
Acct. 20-0000-44050 Haz Mat Equipment:	<u>\$ 2,573.00</u>
<i>Total Equipment:</i>	<u>\$ 2,573.00</u>
Fund Total:	<u>\$13,073.00</u>

Section 4. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND	
Acct. No. 088-0000-440.10 Sidewalk Replacement:	<u>\$ 40,000.00</u>
<i>Total Series:</i>	<u>\$ 40,000.00</u>
Fund Total:	\$ 40,000.00

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 6. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 27th Day of January 2020. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 27th Day of January 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. Consideration of Proposed Additional Appropriations: (controlled funds): Proposed Additional Appropriations in Excess of the 2020 Budget for the Redevelopment Capital Fund in the amount of \$1,898,933; the Police Department of the Corporation General Fund in the amount of \$119,000; the Fire Department in the Corporation General Fund in the amount of \$101,123; and the Works Board Department of the Corporation General Fund the amount of \$40,000 for a total in the Corporation General Fund of \$260,123.

(a) *Attorney verification of Proofs of Publication:* The TIMES 16 Jan 2020. The Town Attorney legally opined that the notices were in order.

(b) **Public Hearing.** The Town Council President called the public hearing to order. The following comments were received:

1. Larry Kondrat, Highland, inquired about the details proposed in the Redevelopment Capital Fund, regarding the account described as property acquisition. He further inquired about the appropriation dedicated to the Community Garden for the downtown.

It was noted that land acquisition is confined only to those parcels identified in the approved acquisition list as required in the redevelopment plan for the several economic or redevelopment areas in Town. It was further noted that the appropriation for the Community Garden was supported by donations and

that the current proposed appropriation was to permit spending of unexpended cash donated for the purposes of the Garden.

- 2. Rick Volbrecht, Highland, asked about the tenure for the appropriation in the Redevelopment Capital Fund. He was advised that unexpended, unobligated appropriations lapse or expire after December 31 of the year in which the appropriation is made.

There being no further questions, the Town Council President closed the hearing.

- (c) Action on **Appropriation Enactment No. 2020-02**: An Enactment Appropriating Additional Moneys in Excess of the 2020 Annual Budget for the **Redevelopment Capital Fund** in the amount of \$1,898,933; the **Police Department of the Corporation General Fund** in the amount of \$119,000; the **Fire Department in the Corporation General Fund** in the amount of \$101,123; and the **Works Board Department of the Corporation General Fund** the amount of \$40,000.

Councilor Zemen introduced Enactment No. 2020-02 and moved its consideration at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Zemen moved the passage and adoption of Enactment No. 2020-02 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was padded and adopted at the same meeting of its introduction.

**Town of Highland
APPROPRIATION ENACTMENT
Enactment No. 2020-02**

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, for the Police Department of the Corporation General Fund, for the Fire Department of the Corporation General Fund and for the Works Board Department of the Corporation General Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Redevelopment Capital Fund, and the Police, Fire and Works Board Departments of the Corporation General Fund;**

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment Capital Fund** and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Increase accounts:

096-0000-31005 Engineering & Architecture	\$	41,300.00
096-0000-31007 Maintenance & Repair	\$	55,000.00
096-0000-31008 Tree Replacement	\$	4,000.00
096-0000-31009 Landscape Services	\$	16,060.00
096-0000-34002 Facade Improvement Grant	\$	100,000.00
096-0000-39019 Legal Services Land Acquisition	\$	32,500.00
096-0000-39025 Property Appraisal Services	\$	47,200.00
096-0000-39026 Demolition Services	\$	60,000.00

096-0000-39040 Community Garden Services	\$ <u>2,124.00</u>
<i>Total for 300 Series:</i>	\$ 358,184.00

Increase accounts:

096-0000-40001 Land purchases	\$ 1,461,309.00
096-0000-42001 Wayfinding Signs	\$ 76,000.00
096-0000-45006 Benches and Receptacles	\$ <u>3,500.00</u>
<i>Total for 400 Series:</i>	\$ 1,540,809.00

TOTAL for FUND:	\$ 1,898,933.00
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Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Police, Fire and Works Board Departments of the Corporation General Fund** and for the purposes herein specified, subject to the laws governing the same:

CORPORATION GENERAL FUND

Police Department

Increase the following:

001-0009-21001 Gasoline & Oil:	\$ 60,000.00
001-0009-21002 Tires	\$ 6,000.00
001-0009-21004 Institutional Supplies	\$ 2,000.00
001-0009-22004 Vehicle Parts and Supplies	\$ 10,000.00
001-0009-23004 Other supplies	\$ <u>2,000.00</u>
<i>Total 200 Series:</i>	\$ 80,000.00

001-0009-35001 Electrical Service	\$ 25,000.00
001-0009-36001 Repairs & Maintenance	\$ 6,000.00
001-0009-39001 Subscriptions & Dues	\$ <u>8,000.00</u>
<i>Total 300 Series:</i>	\$ 39,000.00

Total for Department:	<u>\$ 119,000.00</u>
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Fire Department

Increase the following:

001-0007-11113 Fire Call Compensation:	\$ 33,117.00
001-0007-11114 Fire Training Compensation:	\$ 17,556.00
001-0007-11301 Clothing Compensation	\$ 5,000.00
001-0007-11304 Uniforms	\$ 1,450.00
001-0007-11404 Mileage Compensation	\$ <u>5,000.00</u>
<i>Total 100 Series:</i>	\$ 62,123.00

001-0007-23004 Other supplies	\$ <u>6,000.00</u>
<i>Total 200 Series:</i>	\$ 6,000.00

001-0007-32006 Mobile Data System	\$ 8,000.00
001-0007-35001 Electrical Service	\$ 7,000.00
001-0007-35003 Natural Gas	\$ 8,000.00
001-0007-36003 Building Repairs	\$ <u>10,000.00</u>
<i>Total 300 Series:</i>	\$ 33,000.00

Total for Department:	<u>\$ 101,123.00</u>
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Works Board Department

Increase the following:

001-0011-34006 Insurance Deductible	\$ 10,000.00
001-0007-34015 Rainy Fund transfer	\$ <u>30,000.00</u>
<i>Total 300 Series:</i>	\$ 40,000.00

Total for Department:	<u>\$ 40,000.00</u>
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TOTAL for the FUND:	<u>\$260,123.00</u>
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Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 27th Day of January 2020. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 27th Day of January 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

ATTEST:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
/s/Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Appointments:

• Statutory Boards and Commissions

Executive Appointments (May be made in meeting or at another time)

- 1. Municipal Plan Commission:** (1) appointment to be made by Town Council President. (Note: The unexpired term of Mark Schocke (R) expiring 1st Monday in January 2022 and up to 90 days after term expires if no action) Current composition of the citizen members is 1 Independent, 1 Democrat, 1 Republican, 1 vacancy. There can be no more than 2 of the same party.

The Town Council President, as municipal executive, announced his appointment of **James M. Kisse** (R), 2651 43rd Street, Highland, to the municipal plan commission fulfilling the unexpired term of Mark J. Schocke, made vacant at his assumption of the Town Council office. The Clerk-Treasurer would prepare the certificate of appointment and present it to the Town Council President for his signature.

Legislative Appointments

Home Rule Commissions

1. Community Events Commission:

- (9) Appointments to be made by the Town Council. **Term: 1 year.** (Note: Currently serving, Bandon Wolak, Erica Rozenich-Wolak, Adam Nyiri, Ead Mansoun, Christine Clarkson Gonzalez, Christopher Kornaus, Deanna Christ, Elizabeth Alakel, and Victoria Smith.)

Councilor Black moved that the following listed persons be appointed to the Community Events Commission for terms of 1 year and until a successor is appointed and qualified. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following persons were appointed:

John A. Salzeider
8926 Arbor Hill Drive

Jacqueline Herrera
8112 Wicker Park Drive

Michael Cardone
3743 Alti Court

Michael Blejski
9333 Fifth Street

Christine C. Gonzalez
9032 Pettit Drive

Christopher Kornaus
8216 Grace Street

Deanna Christ Kornaus
8216 Grace Place

Elizabeth Alakel
3048 100th Place

Jason Tharp
9343 Kennedy Ave

General Orders and Unfinished Business:

1. **Proposed Ordinance No. 1712:** An Ordinance to Amend and the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook All Particularly Regarding the Flexible Spending Account as part of the Section 125 Plan and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes.

The Clerk-Treasurer noted that he hoped that the ordinance would not be considered for passage at the same meeting in order to allow the amendment it purports to make could be shared with the employees who are affected.

Councilor Black introduced and filed proposed Ordinance No. 1712. There was no further action.

2. **Resolution No. 2020-03:** A Resolution Of The Fiscal Body Of The Town Of Highland Approving And Fixing The Official Charges Or Fees For Information And Communication Technology Services Provided By The Municipality To Its Executive Departments And Offices And Accounted In The Information And Communication Technology Fund.

Councilor Black moved the passage and adoption of Resolution No. 2020-03. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
Town Council Resolution No. 2020-03**

A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND APPROVING AND FIXING THE OFFICIAL CHARGES OR FEES FOR INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES PROVIDED BY THE MUNICIPALITY TO ITS EXECUTIVE DEPARTMENTS AND OFFICES AND ACCOUNTED IN THE INFORMATION AND COMMUNICATION TECHNOLOGY FUND

WHEREAS, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

WHEREAS, The Highland Town Council did adopt and establish an Information and Communication Technology Fund, by adoption of Ordinance No. 1323, amending the Highland Municipal Code by adding a new section § 31.08 (now codified as Section 3.45.110), which provides for an internal service fund as an accounting entity to which the resources and costs associated with providing information and communication technology services to the municipality will be accounted; and,

WHEREAS, Section 3.45.110 (F) (1) particularly provides that resources or revenue for these services supported by the internal service fund may consist of *"interdepartmental charges, contributions, cost shares or assessments levied against funds or departments of the municipality to support the lawful purposes and budget of the Information and Communication Technology Fund;"*

WHEREAS, Section 3.45.110 (F) (1) (a) still further provides that the "charges and rates shall be developed and recommended by the proper officers of the municipality and fixed and approved by the Town Council";

WHEREAS, The proper officers of the municipality have developed and now recommend charges and rates for FY 2019 to support the costs associated with the provision of information and communication technology services to the municipality and its several executive departments and utilities; and,

WHEREAS, The Town Council now desires to fix and adopt the charges and rates as recommended,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the proper officer(s) of the municipality have developed and now recommend the following annual charge for services for the fiscal year 2019 as follows:

(a) For information and communication technology services provided to the several departments reposed in the Corporation General Fund, the annual charge is allocated at 25% of costs or \$52,941.50;

(b) For information and communication technology services provided to the department reposed in the Park and Recreation Fund, the annual charge is allocated at 20% of costs or \$42,353.20;

(c) For information and communication technology services provided to the department reposed in the Redevelopment General Fund, the annual charge is allocated at 5% of costs or \$10,588.30;

(d) For information and communication technology services provided to the Waterworks Utility, the annual charge is allocated at 25% of costs or \$52,941.50;

(e) For information and communication technology services provided to the Wastewater/Stormwater Utility, the annual charge is allocated at 25% of costs or \$52,941.50;

Section 2. That the Town Council hereby finds and determines that the rates and charges as recommended are consistent with IC 36-1-3-8(a)(6), calculated to include reasonable costs associated with those purposes outlined in Section 3.45.110 (D) of the Highland Municipal Code;

Section 3. That the Town Council hereby now fixes and approves the annual rates and charges as set forth herein, and authorizes the municipal fiscal officer to take such lawful measures to charge and collect the fees herein, either as a single lump sum fee or collected periodically until fully collected, and then to deposit these charges into the Information and Communication Technology Fund;

DULY RESOLVED and ADOPTED this 27th Day of January 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **Resolution No. 2020-04:** A Resolution Authorizing Execution of an Employment Agreement With Peter T. Hojnicky For The Position Of Police Chief.

Councilor Sheeman moved the passage and adoption of Resolution No. 2020-04. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2020-04

A RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH Peter T. Hojnicky FOR THE POSITION OF POLICE CHIEF.

Whereas, Peter T. Hojnicky has qualifications and experience required for the Highland Police Department's Chief of Police as prescribed in a job description recommended by the Highland Metropolitan Police Commission and approved by the Town Council at a regular meeting held on November 11th 2019;

Whereas, Peter T. Hojnicky has indicated his intention and interest to serve as the Highland Police Department's Chief of Police;

Whereas, IC 36-8-9-4(a), authorizes the Town Board of Metropolitan Police Commissioners, subject to the approval of the Town Council, to appoint employees of the Town Police Department, but it does not confer authority to contract with employees; and,

Whereas, The Metropolitan Police Commission and the Town Council desire to obtain and receive the benefit of Peter T. Hojnicky's knowledge, training, experience and certifications by engaging his employment as Chief of Police and to fix his form of compensation, benefits and other terms of employment as set forth hereinafter,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:

Section 1. That the employment agreement between the Town of Highland Police Department and Peter T. Hojnicky is hereby approved in each and every respect;

Section 2. That the Town Council President and Clerk-Treasurer are hereby authorized to sign the employment agreement with Peter T. Hojnicky, a copy of which is attached and incorporated herein, in order to evidence its approval.

DULY PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, this 27th Day of January 2020. Having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

(Actual Agreement on File)

4. Resolution No. 2020-05: A Resolution Authorizing Execution of an Employment Agreement With Patrick Vassar For The Position Of Assistant Police Chief.

Councilor Sheeman moved the passage and adoption of Resolution No. 2020-05. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2020-05**

A RESOLUTION AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT WITH Patrick L. Vassar FOR THE POSITION OF ASSISTANT POLICE CHIEF.

Whereas, Patrick L. Vassar has qualifications and experience required for the Highland Police Department's Assistant Chief of Police as prescribed in a job description recommended by the Highland Metropolitan Police Commission and approved by the Town Council at a regular meeting held on November 11th 2019;

Whereas, Patrick L. Vassar has indicated his intention and interest to serve as the Highland Police Department's Assistant Chief of Police;

Whereas, IC 36-8-9-4(a), authorizes the Town Board of Metropolitan Police Commissioners, subject to the approval of the Town Council, to appoint employees of the Town Police Department, but it does not confer authority to contract with employees; and,

Whereas, The Metropolitan Police Commission and the Town Council desire to obtain and receive the benefit of Patrick L. Vassar's knowledge, training, experience and certifications by engaging his employment as Assistant Chief of Police and to fix his form of compensation, benefits and other terms of employment as set forth hereinafter,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:

Section 1. That the employment agreement between the Town of Highland Police Department and Patrick L. Vassar is hereby approved in each and every respect;

Section 2. That the Town Council President and Clerk-Treasurer are hereby authorized to sign the employment agreement with Patrick L. Vassar, a copy of which is attached and incorporated herein, in order to evidence its approval.

DULY PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, this 27th Day of January 2020. Having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

(Actual Agreement on File)

5. **Works Board Order No. 2020-05:** An Order Authorizing and Approving An Agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality.

Councilor Sheeman moved the passage and adoption of Works Board Order No. 2020-05. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Black, Sheeman and Schocke voting in the affirmative and Councilor Herak voting in the negative, the motion passed. The order was adopted.

The Town of Highland
Board of Works
Order of the Works Board No. 2020-05

An Order Authorizing and Approving An Agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide information technology support services throughout the Town;

Whereas, The Town has heretofore determined that a need exists to engage professional information technology services associated with support of the several software applications and certain hardware used by the several departments of the Town; and

Whereas, CBL Consulting, Inc, an information technology firm, has consented to provide professional services related to certain support needs related to the information technology of the several departments of the municipality; and

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to accept and approve the agreement for services as herein described,

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the letter proposal serving as an agreement (incorporated by reference and made a part of this Order) between CBL Consulting Incorporated, and the Town of Highland, to provide professional information technology support services for the period beginning *1 January 2020 through*

to 31 December 2020 (see below) as described in the letter proposal from 2020 is hereby approved, adopted and ratified in each respect, with the following exceptions:

- (A) That regardless the billing frequency, payments will be made once each month in the amount described in the letter proposal;
- (B) That only those provisions that are consistent with Federal or State law will be binding upon the parties;
- (C) That there shall be no reselling of materials or supplies by CBL to the Town of Highland, unless the single purchase is not greater than \$500 and the total purchase is \$1,000 or less;
- (D) That Works Board Order No. 2020-02 is repealed and of no further force nor effect.

Section 2. That the charges under the agreement for the services, which include functioning as the Town of Highland information technology director by performing routine and necessary maintenance on equipment identified in the letter proposal, perform data protection services for the town information work product, providing technical consulting, and other related service are found to be reasonable, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid as a monthly fee to CBL Consulting, Inc., in the monthly amount of **Four thousand dollars (\$4,000)**, a 0% increase over the 2018 and 2019;

Section 4. That the executive departments of municipality may use the services according to the terms of the agreement;

Section 5. That, notwithstanding any provision in the letter offer, the Town of Highland through its Town Council reserves its discretion and authority provided under IC 5-22-17-5;

Section 6. That the Town Council President be authorized to execute any agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 27th day of January 2020 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

Exhibit: Letter agreement



January 6, 2020

Mr. Mark Schocke
Town Council President
The Town of Highland
3333 Ridge Road
Highland, IN 46322

Dear Mr. Schocke,

CBL Consulting is pleased to present the following proposal for Information Technology (IT) and personal computer (PC) maintenance support services for the Town of Highland, IN for the calendar year 2020.

Support Services Objective:

The objective of the IT / PC maintenance support services agreement is as follows:

- Function as the Town of Highland's Director of Information Technology.
- Centrally manage and maintain all town technology resources.
- Assistance in the planning of new technology upgrades for the town.
- To provide technological analysis services for departmental software and hardware purchases.
- To provide data backup and auditing services.
- To provide software licensing auditing services.

Support Services Scope of Work & Proposed Cost:

CBL Consulting will function as the Town of Highland's Information Technology Director by performing the following activities:

1. Perform routine and necessary maintenance on the following equipment:
 - a. All town desktop and portable computers - Windows 7/10
 - b. All town Windows 2012R2/2016 servers
 - c. All town networking equipment
 - d. All town phone equipment (excluding Police)
 - e. All town meter reading equipment
 - f. All town video equipment at Town Hall
2. Perform data backup protection and auditing services for the town information work product.
3. Annual civil town IT budget preparation assistance. This includes the actual responsibility of overseeing the proper usage of the IT budget.
4. Provide technical consulting to assist town management with strategic planning activities in regards to the following equipment:

3636 38th Street – Suite 23, Highland, IN 46322
Phone: (219) 712-1890 ed@cbl1.com

Page 2

January 6, 2020

- a. All town desktop and portable computers – Windows 10
 - b. All town Windows 2016/2019 servers
 - c. All town networking equipment
 - d. All town phone equipment
 - e. All town meter reading equipment
5. Provide technical consulting to assist town management with strategic planning activities for all town departments.

Assumptions/Clarifications:

- CBL Consulting will provide Edward Dabrowski as the primary source of contact to perform the support services listed in this document.
- CBL Consulting will not provide any new hardware equipment or software licensing unless asked to do so under separate order. It is assumed that the Town of Highland will provide these items on an as needed basis.
- Routine and necessary maintenance for the town desktop, portable computers and Windows 2012R2/2016 servers includes, but is not limited to, tasks such as: ensuring the successful updating of the Windows operating system as made available by Microsoft, ensuring the successful updating of the current virus protection program as made available from time to time and ensuring the successful updating of the various spyware and adware programs.
- Routine and necessary maintenance for the town networking equipment includes, but isn't limited to, validating proper operation of network equipment and managing changes, as deemed necessary, to facilitate the town's business activities.
- Data Protection and Auditing Services involves ensuring that all employee work product is being properly stored on the server to ensure routine electronic backup.
- All support service work will be performed at the Town Hall, Police Department Headquarters, Fire Department facilities, Parks & Recreation facilities, and Public Works facilities.
- The Police Department has a person handling the majority of IT needs in that department. CBL Consulting will continue to assist managing the strategic planning needs for this department. CBL Consulting personnel have IDACS certification and could be utilized in other areas of the Police Department. These services will be billed separately and aren't included in this agreement.
- In order to perform unforeseen specialty tasks, it may become necessary, to require the services of a 3rd party vendor. This contract excludes any of these potential costs due to the uncertainty associated with these activities. These specialty service costs will be independently approved by the Town and billed to the Town directly by the 3rd party vendor.
- CBL Consulting, Inc. will be paid \$4,000 for support per month from January 1, 2020 through December 31, 2020.
- The support will be available between 7:00am and 5:00pm, Monday through Friday. Maintenance work covered by this agreement will occur before 7:00am and after 5:00pm without additional charges. But any emergency work or emergency callout

Page 3

January 6, 2020

work isn't included in this agreement. This type of work will have to separately billed time and material (T&M) at a rate of \$100 per hour.

- CBL Consulting historically has provided "same day" service for all emergency calls from the Town, however, CBL Consulting reserves the right to use the industry standard of responding within one business day of initial client contact for the purpose of this proposal.
- Software licensing auditing services will be provided but some town personnel do have the ability to install software not formally approved by the town. These services are limited to Microsoft and other third-party server/client software and don't cover freeware or shareware products.
- Software licensing auditing services will be provided by CBL Consulting but some PC users have brought in software from home that they believe makes them more efficient. CBL Consulting does not encourage this behavior. CBL Consulting will record these installations and formally inform the Town Council President on a case by case basis.
- The town's SIP Trunking Phone Services are not included under this contract. Charges for these services would be billed separately.
- Live Streaming – CBL Consulting will live stream all Town Council Public Meetings to Facebook. These videos will be manually uploaded to Ycu Tube.
- Duration of this Agreement. This Agreement shall become effective as of the 1st day of January, 2020 and shall continue in full force and effect until the 31st day of December, 2020.
- Termination. If CBL Consulting is unable to perform the tasks outlined in this proposal due to the incapacitation of Edward Dabrowski, then the Town of Highland has the right to seek a prorated settlement of the monthly service fee based on the remaining full calendar days left of the current month.

CBL Consulting appreciates the opportunity to provide this proposal. If you have any questions or comments regarding this proposal, or on any other service that CBL Consulting offers, please call me at your convenience at (219) 712-1890 or email me.

Sincerely,



Edward Dabrowski – President
CBL Consulting, Inc.

- 6. Action on Requests for Payment on the 2019 CCMG Street Improvement Project:**
- (a) Pay request No. 5 in the amount of \$10,221.20;
 - (b) Pay request No. 6 partial release of retainage, in the amount of \$57,456.33.

Councilor Zemen moved to authorize and approve Pay request No. 5 in the amount of \$10,221.20 and Pay request No. 6, allowing the partial release and payment of retainage in the amount of \$57,456.33 to Walsh and Kelly as recommended by the construction engineer, NIES Engineering. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. the payments were authorized and approved.

7. **Temporary Appointment:** Temporary Solicitor for code advocacy Tuesday, January 28, 2020. *The Town Attorney explained that he has a conflict and the partner at the firm usually assigned to stand in for him in these trials would be also unavailable. So, the Town Attorney asked that the Town Council consider appointing temporary counsel for the purpose described. The Town Attorney recommended Nicole A. Bennett, Esq. of Westland and Bennett, P.C.*

Councilor Sheeman moved the temporary appointment of **Nicole A. Bennett, Esq.**, Westland and Bennett, P.C., 2929 Carlson Drive, Suite 3300, Hammond, Indiana 46323. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and no negatives. With Councilors Zemen, Black, Sheeman and Schocke voting in the affirmative and Councilor Herak voting in the negative, the motion passed. Nicole A. Bennett, Esq., was appointed temporary solicitor to represent the Town in matters pending January 29, 2020.

8. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$7,560.00** in the **Municipal Cumulative Capital Development Fund.**

Councilor Black moved to authorize and approve the proper officer to publish legal notice as indicated for the purposes stated. Councilor Sheeman seconded. Upon a roll call vote, there five affirmatives and no negatives. The motion passed. The publication of the legal notice was authorized.

Comments from the Town Council:
(Good of the order)

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen acknowledged the Building Commissioner who offered a survey of matters being considered by the Plan Commission.

Councilor Zemen acknowledged the Fire Chief who reported on incidents responses.

Councilor Zemen also acknowledged the presence of Girl Scouts, who were working on a badge.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison* • *Public Works Liaison.*

Councilor Herak acknowledged the Building Commissioner, who proffered a survey of matters pending before the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Police Chief who thanked the Town Council for approving employment agreements for Assistant Chief Vassar and himself. The Police Chief reported that the law enforcement related news would soon be published in the monthly newsletter, styled the *Gazebo Express*.

Councilor Herak acknowledged the Public Works Director, who reported that he was applying for the next round of Community Crossing Grant money (authorized in IC 8-23-30 et seq.) and required a supporting letter from the municipal executive pledging the local matching funds. The Town Council would not meet again before the deadline to file for the grant and the letter must accompany this.

Amend the Agenda. With leave from the Town Council, Councilor Herak moved to amend the agenda to add an item of business authorizing the signing and filing of a letter by the Town Council President to accompany an application for a forthcoming Community Crossings Grant identifying and pledging an amount as a local match to support the grant application. Councilor Sheeman seconded. Upon a roll call vote, a 2/3rds vote being required, (See HMC Section 2.05.090 (E)) there were five affirmatives and no negatives. The motion passed. The agenda was amended to include the item of business described.

Authorize a Letter from the municipal executive. Authorize the Town Council President to sign a letter pledging a local amount and source to be identified to match a grant amount to accompany the application for Community Crossings Grants, as authorized in IC 8-23-30 et seq.

Councilor Sheeman moved to authorize the Town Council President to sign a letter indicated a local match of funds to support the filing for a forthcoming Community Crossings Grant application. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The letter and the president's signature was authorized.

Councilor Herak asked that there might be further discussion related to the passage of a sense of the Town Council resolution regarding the impact of HB 1165 that would no longer allow Highland and all municipal utilities to require the landlords to co-sign for their tenants as a condition for application to the utility.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners • Liaison to the Board of Waterworks Directors.*

Councilor Black thanked the IT Consultant for his work making streaming the meetings of the Town Council.

- **Councilor Roger Sheeman:** *Chamber of Commerce Liaison • Liaison to the Community Events Commission • Information Technology Liaison • Redevelopment Commission Liaison • Tree Board liaison.*

Councilor Sheeman acknowledged the Redevelopment Director who offered a brief overview of the forthcoming meeting of the Redevelopment Commission.

Councilor Sheeman expressed his hope that the Town Council would consider at some future point either a declaration or a proclamation to recognize the 100th anniversary of women's suffrage.

- **Councilor President Mark Schocke:** *Town Executive • Chair of the Board of Police Pension Trustees • Park and Recreation Liaison.*

The Town Council President acknowledged the Girl Scout Troop present and noted that they were working on a community badge.

It was noted that a Highland Girl Scout Troop would be presenting the colors at the meeting of the Town Council on March 9, 2020.

The Council President acknowledged the Parks and Recreation Superintendent who reported on the forthcoming special recreation event for persons with disabilities hosted at the Lincoln Community Center, Sunday from 1-3. It is part of a cooperative special recreation initiative.

The Town Council President reported that he had his tickets for the forthcoming Daddy-Daughter dance night.

Comments from Visitors or Residents:

1. Rick Volbrecht, Highland, offered a suggestion that the Town Council consider having public comment at the beginning of the meeting rather than just at the end. He further suggested that perhaps the Town Council could require persons wishing to speak to sign in.
2. Larry Kondrat, Highland, noting the impact of HB 1165, he suggested that the Town Council do something to express its displeasure with its provisions.
3. Michael Blejski, Highland asked for confirmation that he was appointed to the Community Events Commission. It was noted that he was.
4. Elijah Aurand, Highland, reported that effective March 1 he would be moving his business, *Next Generation Gaming*, back to Highland from Griffith. Mr. Aurand asked about information regarding any permitting he needs. It was noted that he would need a business license but he could contact the Building and Inspection Office to further inquire about any other requirements.

The Town Council President welcomed Mr. Aurand back to town.

5. Lydia Lopez, Highland, asked about the status of displaying the veterans and military banners on poles. It was explained that the policy still needed to be worked out but that it was the intention of the Town Council to permit those displays as well.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **January 14, 2020 through January 27, 2020** and the **payroll dockets for December 6, 2019; December 20, 2019; and January 3rd, 2020**. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$287,395.55; Motor Vehicle Highway and Street (MVH) Fund, \$76,147.51; Local Road and Street Fund, \$1,685.19; Law Enforcement Continuing Education, Training, and Supply Fund, \$1,427.21; Corporation Bond and Interest Fund, \$424,000.00; Gasoline Agency Fund, \$17,530.40; Information and Communications Technology Fund, \$7,838.01; Solid Waste District Grant Fund, \$614.01; Civil Donation Fund, \$813.75; Municipal Cumulative Capital Development Fund, \$695.69; Traffic Violations and Law Enforcement Agency Fund, \$7,250.00; Community Crossings Grant Fund, \$67,677.53; Total: \$893,064.85.

Payroll Docket for payday of December 06, 2019:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$16,746.11; Building and Inspection Department, \$8197.81; Metropolitan Police Department, \$125,732.17; Fire Department, \$4,161.12; Public Works Department (Agency), \$67,483.57 and 1925 Police Pension Plan Pension Fund, \$67,795.63; Total Payroll: \$222,320.78.

Payroll Docket for payday of December 20, 2019:

Council, Boards and Commissions, \$10,510.00; Office of Clerk-Treasurer, \$16,549.73; Building and Inspection Department, \$9,437.38; Metropolitan Police Department, \$126,841.36; Fire Department, \$4,028.52; Public Works Department (Agency), \$72,141.84 and 1925 Police Pension Plan Pension Fund, \$67,592.46; Total Payroll: \$309,101.35.

Payroll Docket for payday of January 3, 2020:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$17,113.59; Building and Inspection Department, \$8,197.81; Metropolitan Police Department, \$120,942.48; Fire Department, \$3,645.76; Public Works Department (Agency), \$67,225.22 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$217,124.86.

Adjournment of Plenary Meeting. Councilor Zemen moved that the plenary meeting be adjourned. Councilor Sheeman seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 27, 2020 was adjourned at 8:00 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer

Approved by the Town Council at its meeting of _____, 2020.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer